IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 15787 of 2004

Between:

M.Ashwin Kumar S/o. M.Ashok Rao
Occ: Student of Muffakhamjah College of Engineering and

Technology, Hyderabad,

R/o. H.No.Falt No.101 Vindya-1
Jayabharathi Gardens, Moosapet, Y Junction, Hyderabad.

..... PETITIONER

AND

Osmania University Represented by its Registrar, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ mandamus declaring the action of the respondents in not permitting the petitioner to attend the fourth year classes of B.E. (Mechanical) and appearing for the B.E (Mechanical) fourth year examinations and complete the course with his Hall Ticket No.4.2.658 as illegal, unconstitutional and violative of article 14,16, and 21 of the Constitution of India and consequently direct the respondents to permit the petitioner to attend the fourth year classes of B.E (Mechanical) Course and appear for the B.E (Mechanical) fourth year examinations.

Counsel for the Petitioner:MR.K.RAMAKANTH REDDY

Counsel for the Respondent No.: MR.DEEPAK BHATTACHARJEE (Standing Counsel)

The Court, at the stage of admission, made the following.

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ORDER:

As per the revised Rules, students have to be promoted from B.E. III year II semester to IV year I semester, if the number of backlog papers of B.E. I, II and III years put together do no exceed 50% of the total number of papers prescribed for I and II semester of B.E. III year. Admittedly, the petitioner is having ten backlogs to his credit, which is more than 50% of the subjects of third year.

In view of the same, the petitioner is not entitled to be promoted to 4^{th} year to attend the classes of 4^{th} year and also to undertake the examinations of 1^{st} semester of 4^{th} year.

For the reasons aforesaid, the writ petition is dismissed. No order as to costs.

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(A.GOPAL REDDY,J)

Dt:11.10.2004

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To

1. The Registrar, Osmania University, Hyderabad.

2. 2 C.D. copies.